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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,680	01/24/2006	Chikara Takagi	284856US3XPCT	2917
22850	7590	06/11/2010	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.			HUDA, SAEED M	
1940 DUKE STREET				
ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER
			1791	
		NOTIFICATION DATE	DELIVERY MODE	
		06/11/2010	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/565,680	<b>Applicant(s)</b> TAKAGI ET AL.
	<b>Examiner</b> SAEED M. HUDA	<b>Art Unit</b> 1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 May 2010.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 12-22 is/are pending in the application.  
 4a) Of the above claim(s) 15-22 is/are withdrawn from consideration.  
 5) Claim(s) 12 is/are allowed.  
 6) Claim(s) 13 and 14 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/GS-68)  
     Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date: \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/20/2009 has been entered.

### ***Response to Amendment***

2. Claims 12-22 are pending in this application. Claims 15-22 are withdrawn from consideration. Claim 12 is amended. No claims are canceled or added herewith.

### ***Response to Arguments***

#### **Claim 12**

Applicant states that the applied art does not teach or suggest that after the vulcanization processing, the bladder, in the expanded state, removes the vulcanized tire from the vulcanization position to the delivery position, and contracting the bladder at the delivery position for releasing the vulcanized tire from the bladder, as recited in claim 12. The Examiner is in agreement and has indicted claim 12 to be allowable.

#### **Claim 13**

Applicant state that with respect to independent claim 13, it is respectfully submitted that the applied art does not teach or suggest making a single centering shaft pass through centers of the lower mold, the upper mold, the green tire, the bladder and

the pair of bladder operating sleeves during a vulcanization by extending the single centering shaft from the upper mold into the pair of bladder operating sleeves.

Applicant states that Seko does not disclose a single centering shaft as recited nor does the Office Action assert as such. Applicants further submit that the applied art of Babel also fails to disclose a single centering shaft which is made to pass through the centers of the pair of bladder operating sleeves, as recited in Claim 13. The Examiner disagrees in that Babel teaches the presence of a centering shaft and that the shaft passes through the center of the bladder operating sleeves. Specifically, Applicant states that piston rod 33 corresponds to one of a pair of bladder operating sleeves and that piston rod 33 along with sleeve 22 correspond to function as a pair of bladder operating sleeves. Applicant is incorrect in this definition in that 33 is clearly not a bladder operating sleeve as it runs down the center of the apparatus.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seko et al. (JP 2003-62832 A) in view of Babel (JP 49024286).

a. Regarding claim 13, Seko et al. teaches the presence of a vertical vulcanizer (see rejection of claim 12 above and figures of Seko et al.). Seko et al. teach the presence of an upper 25 and lower mold 18 where the upper mold is arranged over the lower mold (figures and [0033]). Seko et al. fail to teach a pair of bladder operating sleeves which are moveable vertically and respectively air-tightly behind upper and lower end ring portions of a bladder which is expanded inside the green tire.

Babel teaches a tire material vulcanizing press, which is made from two parts, characterized in that said press is comprised of: a lower mold chamber; an upper mold chamber (claim 1). Babel goes on to teach that a ring-like sleeve, which is held in the lower mold chamber and concentric with said element; a means for fixing the lower surface of said inner tube to the upper end of said sleeve; and a device for loading said sleeve so that said sleeve reciprocally moves in the axial direction between the position, wherein said sleeve is extended in the upper direction, and the position, wherein said sleeve is pulled into the lower part of the lower mold chamber, while said movement of said sleeve is made independently from the axial movement of said element (claim 1) (ie sleeves are moveable vertically and bind the ends of the bladder).

Babel goes on to teach the use of a single centering shaft 29R that passes through the center of the lower mold, the upper mold, the green tire, the bladder and the pair of bladder operating sleeves where the centering shaft extends from the upper mold 7 into the pair of bladder operating sleeve 22.

The vulcanization process of Babel with necessarily be performed with the centering shaft centering the pair of bladder operating sleeves relative to the lower mold and upper mold.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use the features of a tire material vulcanizing press, as described in Babel in the invention of Seko et al. because the use of the apparatus Babel leads to an efficient tire producing process (page 9, lines 8-11).

b. Regarding claim 14, Seko et al. teach the limitations regarding a bladder is expandable and contractible at a vulcanization position, tire delivery position, expansion, contraction, and removal of the tire (see rejection for claim 12 and the Seko et al. reference).

***Allowable Subject Matter***

5. Claim 12 is allowed. The following is a statement of reasons for the indication of allowable subject matter: The prior art, considered individually and in combination, fail to teach a tire vulcanizing method where after a vulcanization process, making the bladder in the expanded state remove the vulcanized tire from the vulcanization position to the delivery position.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAEED M. HUDA whose telephone number is (571)270-5514. The examiner can normally be reached on 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Griffin can be reached on (571) 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KHANH NGUYEN/  
Primary Examiner, Art Unit 1791

/SAEED M. HUDA/  
Examiner, Art Unit 1791